

Vincent J. Vitkowsky
Ira G. Greenberg
EDWARDS ANGELL PALMER &
DODGE LLP
Attorneys for Defendants
750 Lexington Avenue, 8th floor
New York, NY 10022
(212) 308-4411

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SEATON INSURANCE COMPANY AND
STONEWALL INSURANCE COMPANY,

Plaintiffs,

versus

CAVELL USA INC. f/k/a KEN RANDALL
AMERICA, INC. f/k/a EASTGATE, INC. and
KEN RANDALL, individually.

Defendants.

No. 1:07-CV-07032 (RMB) (KNF)

DECLARATION OF IRA G.
GREENBERG IN SUPPORT OF
MOTION TO DISMISS

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

IRA G. GREENBERG declares as follows:

1. I am a member of the bar of this Court and of the firm of Edwards Angell Palmer & Dodge LLP, attorneys for defendants Cavell USA Inc. and Kenneth Randall. I make this declaration, pursuant to Fed. R. Civ. P. 44.1, to bring before the Court certain English authorities cited in the accompanying declaration of Stephen Hofmeyr, Q.C. Mr. Hofmeyr provided me these decisions electronically.

2. Annexed as exhibit D is Premium Nafta Products Ltd. v. Fili Shipping Co., decided October 17, 2007 by the House of Lords;

as exhibit E is King v. Brandywine Reins. Co., decided by the Court of Appeal in 2005.

as exhibit F is Bradford Third Equitable Benefit Bldg. Soc'y v. Borders, decided by the House of Lords in 1941.

as exhibit G is Peek v. Gurney, decided by the House of Lords in 1873.

as exhibit H is Continental Bank N.A. v. Aeakos Compania Naviera S.A., decided by the Court of Appeal in 1993.

as exhibit I is Ashville Investments Ltd. v. Elmer Contractors Ltd. decided by the Court of Appeal in 1987.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 30th day of November, 2007.



IRA G. GREENBERG